

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
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ELECTRONICALLY FILED
DOC #:
DATE FILED: 3/29/13

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MUSTAFA MRKULIC and ENISA :
MRKULIC, on behalf of themselves and all :
persons similarly situated :

12 Civ. 6398 (KBF)

Plaintiffs, :

ORDER

-v- :

601 ASSOCIATES LLC, et al., :
Defendants.:
-----X

KATHERINE B. FORREST, District Judge:

This action was brought under the FLSA and New York State labor laws.
The Court has now been advised that the parties have settled this action.

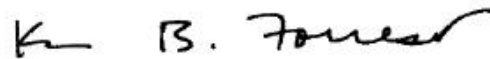
The FLSA imposes an obligation to pay unpaid overtime compensation and an additional equal amount as liquidated damages. See 29 U.S.C. § 216(b). In the event that a settlement does not require full payment of that amount, it must be scrutinized by the Court to ensure that it is fair. See, e.g., Elliott v. Allstate Investigations, Inc., No. 07 Civ. 6078 (DLC), 2008 WL 728648 (S.D.N.Y. Mar. 19, 2008).

Accordingly, it is hereby ORDERED that the parties submit any proposed settlement agreement to the Court for its approval no later than April 11, 2013. The parties shall also on or before that date make submissions in support of their settlement, explaining why it should be approved based on the issues described in Elliott. With regard to the FLSA claim, such submissions shall provide for any

plaintiff (1) the amount of unpaid overtime compensation claimed on his or her FLSA claim; (2) the amount of the settlement consideration attributable to the FLSA claim; and (3) any weaknesses, strengths, uncertainties or other circumstances with regard to the FLSA claim, or its prosecution, that affected the corresponding portion of the settlement consideration. It shall also (4) set forth the calculations supporting any award of attorney's fees.

SO ORDERED:

Dated: New York, New York
March 29, 2013

A handwritten signature in black ink, appearing to read "K. B. Forrest", is written above a horizontal line.

KATHERINE B. FORREST
United States District Judge